



4. The Plaintiff, A.W., is a minor child, who is seventeen (17) years-old and resides in Marion County, Indiana.

5. D.P. and A.W. are students at Shortridge High School (“Shortridge”), which is within the Indianapolis Public Schools (“IPS”) school district.

6. Ms. Pointer is related to D.P. and A.W.

7. The Defendant, Officer Robert Lawson (“Ofc. Lawson”), is a law enforcement officer employed by the Indianapolis Metropolitan Police Department.

8. The Defendant, Officer Jane Doe (“Ofc. Doe”), is a law enforcement officer employed by the IPS School Police Department.

9. The Defendant, Officer John Roe (“Ofc. Roe”), is a law enforcement officer employed by the IPS School Police Department.

10. Ofc. Doe and Ofc. Roe are empowered by state statute with the same law enforcement authority as other law enforcement officers within Marion County.

### **JURISDICTION AND VENUE**

11. The Plaintiffs herein invoke the Court's federal question jurisdiction, pursuant to 28 U.S.C. § 1331 and 1343, to obtain a judgment for damages suffered and sustained by the Plaintiffs and caused by the Defendants’ violation of the Plaintiffs’ rights, privileges, and immunities, as guaranteed by the First, Fourth, Fifth, and Eighth Amendments to the Constitution of the United States of America and by applicable federal statutes, specifically 42 U.S.C. §§ 1983 and 1988, and for the costs of suit, including reasonable attorney’s fees.

12. Venue in the Indianapolis Division of the Southern District of Indiana is appropriate pursuant to 28 U.S.C. § 1391(b), as a substantial portion of the events which give rise to this action took place within this District.

### **FACTUAL ALLEGATIONS**

13. On or about August 29, 2019, A.W. and D.P. were attending high school classes at Shortridge, which is located in the 3400 block of North Meridian Street, Indianapolis, Marion County, Indiana.

14. Ofc. Doe and Ofc. Roe are assigned by IPS to provide police protection at Shortridge.

15. During the weeks preceding August 29, 2019, a conflict had arisen between certain students and A.W.

16. During the early afternoon passing period on August 29, 2019, this conflict became physical when a number of these students attacked A.W. in an interior hallway at Shortridge.

17. D.P., who is related to A.W., observed the attack and attempted to intervene on behalf of his relative.

18. Ofc. Doe and Ofc. Roe responded to the attack and one or both officers deployed an aerosol chemical agent against D.P.

19. Ofc. Doe and Ofc. Roe and/or other staff members then restrained D.P. and A.W. preventing D.P. and A.W. from defending against further attacks which were still ongoing.

20. An agent of IPS contacted the Indianapolis Metropolitan Police Department (“IMPD”) to assist with the disturbance.

21. Ofc. Lawson and a second unidentified officer responded to Shortridge to assist.

22. Ms. Pointer was summoned to Shortridge in response to the attack and she arrived a short time later.

23. Shortridge was on “lock down” when Ms. Pointer arrived, and she was not permitted to enter the building.

24. Once the disturbance was suppressed, Ofc. Doe, Ofc. Lawson, and the unknown IMPD officer escorted D.P and A.W. out of the building through the main entrance of Shortridge.

25. The main entrance is located on the west side of Shortridge and faces N. Meridian St.

26. Once outside, the only persons present were Ms. Pointer, D.P., A.W. and the law enforcement officers.

27. Individuals appearing to be school staff or school administrators were watching from behind a closed door of the school.

28. Ms. Pointer was loudly protesting against the actions police took against D.P. and A.W. and was further protesting law enforcement's decision to not release the personal effects of A.W. from his school locker.

29. Ms. Pointer was also protesting the fact that school administrators were inside the building and would not respond to her complaints regarding the police conduct.

30. A.W. and D.P. were silently observing the interaction and D.P. began recording the police from his smart phone.

31. As Ms. Pointer walked away to leave Shortridge property, Ofc. Lawson became angry and threatened to make an arrest.

32. Specifically, Ofc. Lawson made a comment to the effect of, "you want to go to jail . . . let's go right now."

33. In response to what he believed to be Ofc. Lawson's command to stop, A.W. walked toward Ofc. Lawson.

34. A.W. maintained his arms at his sides and made no aggressive moves toward Ofc. Lawson or any other person on the scene.

35. At that time and without warning, Ofc. Lawson struck A.W. with a powerful closed-fist punch which landed on A.W.'s left jaw.

36. Immediately after delivering the punch to A.W.'s jaw, Ofc. Lawson then restrained A.W. in a headlock and proceeded to deliver a further knee strike to A.W.'s abdomen.

37. Ms. Pointer immediately ran to A.W.'s side and placed her arms protectively around A.W. to shield him from any further attack from Ofc. Lawson.

38. The unidentified IMPD officer did not intervene to make any effort to stop Ofc. Lawson's attack upon A.W.

39. Immediately after Ofc. Lawson battered A.W., Ofc. Doe ordered D.P. to stop recording the police activity.

40. Ofc. Doe also attempted to seize D.P.'s phone which contained the recording of Ofc. Lawson's attack.

41. At the time D.P. was recording the public activities of the police, D.P. was located in a public area and was, in fact, on the sidewalk in front of the school.

42. Ofc. Lawson and the unidentified IMPD officer then placed A.W. under arrest by handcuffing him and removing him from the care of Ms. Pointer.

43. A.W. had violated no criminal statutes nor had he engaged in any unlawful activity so as to be subject to arrest.

44. Ofc. Lawson and the unidentified IMPD officer lacked any probable cause for arresting A.W.

45. While making the unlawful arrest of A.W., the aforementioned IMPD officers forcibly separated Ms. Pointer from A.W. and seated A.W. on the concrete stairway in front of Shortridge.

46. After a period of time, officers notified Ms. Pointer that they were unarresting A.W. and subsequently released A.W. from custody.

47. Based on information and belief, Ofc. Lawson later authored a police report in which Ofc. Lawson falsely claimed to have delivered an “open palm” strike to A.W.

48. The Plaintiffs and each of them were damaged as a result of the Defendants’ unconstitutional conduct.

WHEREFORE, the Plaintiffs, by counsel, requests the Court enter judgment for the Plaintiffs and against said Defendants and award:

- a. Actual and compensatory damages;
- b. Punitive damages in an amount sufficient to deter Defendants from again engaging in the conduct described herein;
- c. Reasonable attorney’s fees;
- d. Litigation costs and expenses; and
- e. All other appropriate relief.

Respectfully submitted,

By /s/ Terrance Kinnard.  
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**DEMAND FOR JURY TRIAL**

Plaintiffs, by counsel, hereby demand a trial by jury on all issues so triable.

By /s/ Terrance Kinnard.  
Terrance Kinnard, #22224-49